

2

Ethics and Accountability in Local Government in Nigeria

By

DR. AKPANIM NTEKIM EKPE

*Department of Political Science/
Public Administration,
University of Uyo,
Uyo.*

Abstract

This paper examined the theoretical underpins of the concepts of ethics, transparency, accountability in the Local Government System in Nigeria. The practice of ethical conduct, transparency and accountability has eluded the reformed local government system in Nigeria, and by extension has constituted the problems of poor service delivery and corruption at this tier of government. A situation where local government functionaries fail to separate their private ownership from the public office they hold on trust, and where most of them administer local Governments as their private estates is repugnant to the precept of ethical conduct, transparency and accountability. Apart from a strong advocacy for the institutionalization of Local Government Integrity System, the paper suggested the introduction of a model code of conduct in the local government system, akin to the Columbia Integrity pact, as a sure step to foster the principles of transparency, accountability, good governance and good working relationship among councils functionaries.

Ethics means moral codes of conduct, (Vittal, 2002). The concept of ethics occupied a centre piece in the art of governance. In 172Bc, the Babylonian code of Hammuurabi stipulated ethical rule of conduct for their judges and military officers.

The Aristotle of the Greek had prevailed on the citizens as well as the public office holders to separate private activities and ownership from public activities and ownership. Both China and Britain as early as 622 Bc had propagated the prominence of merit and non partisan service, as essential conditions for employment into the public services of these countries.

Every society must observe certain codes of conduct, else such society cannot grow or progress. The same also applies to an organization, such as the local Government System in Nigeria. Ethics implies the idea of Trust. If our society is to function well, we need to be able to trust one another, and expect others to do their work well, obey the law, and try to make the world a better place. Such vices as cheating, stealing, promise-breaking and selfishness should be discouraged as they are actions capable of destroying trust among individuals in a society, (Ikotun, 2004). The essential premise of accountability lies in the fact that those who exercise public power in society should be answerable for the exercise of that power (Steward, 1992). Public accountability, therefore, is linked to the notion of stewardship in the public domain. Public officers, notably, local government chairmen, supervisors, councilors, and indeed the entire retinue of councils' officials exercise substantial powers which do not belong to them. They belong to the citizens on whose behalf those powers are exercised. The public servants are, therefore, stewards. The powers exercised by the stewards are only justified if those who exercise them are answerable to them.

Accountability involves giving an account of action taken, and being held to account for those actions. Public accountability is the complete and satisfactory account of the stewardship of a public officer in respect of the acquisition and application of the resources entrusted to him in the process of executing public policy and accomplishing the objectives in accordance with extant rules and regulations. Put differently, public accountability has to do with holding a public officer accountable for resources entrusted to him and ensuring that he gives up-to-date account of what he has done with public resources.

According to the United Nations Manual for Local Government Accounting and Budget Execution (1952:5), accountability is a legal liability involving the establishment of a pattern of control over receipts and expenditure that permit a determination either by the executive or by legislative, funds that are spent for public purposes.

Ethics, Transparency and Accountability Conceptualized

Generally, ethics is often regarded as an abstract subject because of the use of certain terms like, obligation, conflict of interest, right, wrongs, responsibility, fairness, integrity, trusts etc. which cannot be measured or quantified (Ikotun, 2004).

Ethics deals with moral obligation, act, attitude or behavior that is in tune with practices commonly applauded, within a given society, organization or environment. Put differently, what constitutes ethics or code of conduct varies from one society or environment to another.

In a nutshell, (Dwivedi, 1978) cited in (Ikotun, 2004) conceptualized unethical practices in the public service to exist whenever public servants, individually or collectively use position (or give appearances of doing so) in a way which compromises public confidence and trust because of conflict of loyalties or values, or as a result or attempts to achieve some form of private gain at the expense of public

welfare or common good. This assertion presupposes the use of public office to covertly and overtly act contrary to expected public good. Furthermore, unethical conduct does not only relate with selfish interest of the office holder or his pecuniary interest, but also certain actions using his position to satisfy his god father (s) cronies, kins and kith, race, religious affiliations etc. against public good, (Chapel, 1972) puts it that unethical conduct:

Can only be determined in relation to an act, attitude or good behavior adjudged contrary to the practices commonly advocated by a certain state at a given time in the field of political and administrative morality.

However, ethics to a great extent comprises the norms, values, standards, criteria, what is adjudged good or bad by a community, organization, political, economic and social spheres.

For Abubakar (2010), the twin concepts of Transparency and accountability have in recent years become household terms and the veritable ringtones of good governance. According to Carson (2005:1), these two paradigms are important pillars of democratic governance in modern societies and in governance in the local government system.

Accountability on the other hand, revolves round policies put in place to regulate political management, ethical standards, finance, performance, local democracy, community leadership and partnership. It implies taking into account, giving an account and holding to account of one's stewardship.

In his own words, (Olowu, 2002) explained that accountability refers to being answerable for one's action or behaviours, involves the development of objective standards of evaluation to assist the owners of an organization to evaluate the performance of duties by individuals and units within the organization. Consequently, Olowu (2002) opined that accountability has crucial elements of responsibility, reporting mechanism, system of evaluation, rewards and sanctions.

Given the entrenchment of democratic ideals at the local level, where people are represented in the council by their councilors, the art of constituency or ward briefing now commonly referred to as town hall briefing and meetings signified the need to give account of governments' decision and discuss issues affecting those they are representing. This is another aspect of accountability. The Local governments' functionaries, are indeed, expected to use this wide array of interactions among the local service users and residents to give account of their stewardship to the governed.

Ethical Problem of Nigerian Local Government System

Policy makers in Nigeria have over the years, dissipated energies on how to reform, reorganize and reposition local government system in Nigeria to achieve the much needed rural transformation, but all have failed to yield positive results as

unethical practices culminating in large scale corruption, which the World Bank defines as the use of public office for private profit, and mismanagement of resources continue to be a constraint in the wheel of progress.

Abubakar (2010) rightly noted that workers in Local Governments in Nigeria exhibit painful negative work ethics that manifest in lateness to work, abandonment of duty, insubordination, truancy, disloyalty, indiscipline, absenteeism and non-commitment towards the achievements of the objectives of local governments. There is flagrant abuse of time and property. Workers indulge in long periods of unproductive conversations, loitering, rumour peddling and malingering.

Local governments in Nigeria are accorded third tier status by the constitution and play the role of decongesting government at the centre, thereby freeing national leaders from the onerous details and unnecessary involvement in local issues. According to (Egonwan, 1999), local governments are far from accomplishing the basic requirements they have been saddled to handle constitutionally due to outright mismanagement of the meager resources available to them. Of course, it is a well known fact that inadequate funds constitute the bane of local government development efforts. The issue here is not just how much is available, but how the local government political office holders' attitudes influence the effective management of the meager resources of funds and materials. Basically, this boils down to the synthesis that the problem of mismanagement is a function of intensified attitude of local government office holders, who relegate positive management practices to the background with a view of perpetuating systemic illegalities that guarantee personal enrichment, self aggrandizement and blatant misappropriation of public funds. This situation is becoming worrisome and this attracts suspicion, distrust, youth restiveness and lack of confidence from the local populace, who are engaged in unabated demands for integrity, transparency, accountability in the management of their resources.

Local people have become restive in view of the *status quo* and so desire to see more developmental strides, high standard of personal ethics and system integrity, (Transparency International, 2001).

Corruption and mismanagement in practical terms, have been the manifestations of various forms of unethical practices which call for concerted and participatory efforts of all stakeholders, if the trend must be checked. Put clearly, all hands must be on deck to reverse the trend. Williams (2002) supportive of the call asserted that:

Where fear and doubt have replaced both corporate and individuals' resistance to diminishing resources and stagnant ideals, what is needed most is the injection of a fresh stream of ideals into the mental system. We need great thoughts and reflection that will, in the end, restore our lost confidence in human capacity. From there, we could again gather together the pieces of our failures.

Therefore, ethics is sine quo-non to accountability to the extent of impacting positively on the mental disposition of both political office holders and career officials in the local government system in Nigeria.

Ethical Issues and Challenges

A number of factors such as materials and resources difficulties, need for a growing and multifaceted society, change of administration and constant demand that decision processes be more participatory etc. justify the need for ethics in contemporary times. One of the major issues is the question of framing a consummate ethical procedure for local government officers which will be far reaching, comprehensive and capable of yielding positive result. The problem remains whether or not such ethical code will incorporate innovative approaches and combine measures such as accountability tools, conduct codes, monitoring mechanism and supportive structure. For ethics to be entrenched in Local Government system, it requires leadership that will provide the integration and articulation of the values mentioned above.

Again, strategies like implementation of audit queries, whistle-blowing system, definition of leadership responsibilities and appeal or mobilization of citizens to denounce unethical practices are often meaningless unless dependent on strong political will. It means that without the political will to articulate harmonious ideas, the quest for ethical code will be defeated, but if the political will is realized, it becomes useful in enhancing the development of the mechanism of ethical problem detection, anticipation and disharmony.

Another challenging ethical issue is how to link ethics with law. (Ikotun, 2004) admits that ethics and law go in paripasu because it helps to raise some ethical question relating to how ethics can be harmonized with judicial perspective. The perception of law galvanizing ethics creates reliance on the part of the citizens on the state or local government. On the contrary, it implies that any form of ethics not backed by law is meaningless; if concrete sanctions are not imposed on wrong doing or act of misdemeanor, it is exercise in futility. Unfortunately, law is only a regulator and legal frontier, but obviously not moral frontier, since law must be obeyed even when it is immoral. This contrasts the essence of ethics. (Blanchard, 2002)

Enhancing High Ethical Conduct among Council's Functionaries

Local government councils should endeavour to conduct their activities with high standards, integrity, openness and accountability to enable councils' officials emulate. This rests on the popular notion that councils, which are likely to put people first (Bartho Pele) stand to propagate high moral standards in the conduct of their activities.

Ethical framework showing code of conduct for local government should be encouraged by the state government. Similarly, state government should enact legislation to oblige local government members to observe. Such code of conduct must be conditioned by the following:

- Council Leadership must promote and support principles of ethic by setting examples for other council officers to emulate.
- Council Chairmen and councilors must always uphold the law and order at all times, act within the trust placed on them.
- Council officials must ensure that whenever there is conflict between public and private interests, only public interest should prevail.
- Always put your conducts in a way that integrity is not at any point questioned.
- Try as much as possible to document all gifts, hospitality and a favour received as member of the council, but be close with discernment not to accept gifts meant to reasonably influence your sense of judgment.
- Ensure that in the course of carrying out public business, like awarding contracts/making public appointments or recommending individuals or group for rewards and benefit, always strive to make decisions on ground of merit not on selfish and parochial considerations. The principle of due process should be scrupulously adhered to. (Transparency International Initiatives, Budapest, 1999).

The 1996 Indian Conference of Chief Minister initiated drastic policy shift and, stressed the charter of citizenry rights, accountability of public servants, and transparency in the state administration. This move led to the enthronement and the propagation of charter of ethics and a civil service code that must be based on secularism, equality, impartiality, social justice and rule of law. Also in the United Kingdom, there is a symbiotic relationship between the cabinet secretary and the Minister to the extent that both do not see themselves as working at cross purposes, but they see themselves as guarantors of government properties and programmes. The cabinet secretary ensures that Ministers do not use the civil service for party political ends.

However, the Swedish model of the local government system with a long tradition is different and unique. Here elected representatives act as watchdogs to elected representatives. The local government audit has increasingly been in the saddle of inspecting and assessing how the committees, assembly drafting committees, and individual elected representatives follow the laid down goals and political intensions of the assembly or local government. The audit unit of the local government has a central role in searching insight into and control of all the activities that local governments are responsible for. These examples are models which Local Government operators in Nigeria should emulate.

Conclusion

In conclusion, we advocate a strict code of conduct to be introduced in Nigeria Local Government System, akin to Columbia integrity pact to reflect the views of the

stakeholders and should be accorded legal status by the State House of Assembly through legislation.

It is hoped that if this model code of conduct is put in place with regulatory and enforcement mechanism to bite, it will go a long way to promote accountability, transparency, stewardship, effective participation, and good relationship among councils' functionaries, and by extension reduce the dangers of conflicts and mistrust in the Local Government System in Nigeria.

Recommendations to Enthroned Ethical Probity, Accountability and Transparency at the Local Government Level

1. The Need for a strong and Free Press

There is a compelling need for the media, as the fourth estate of the realm to strengthen investigative and monitoring capacity to foster greater professionalism and integrity in the conduct of affairs at the local government level.

2. Code of Ethics to be Enthroned

Civil society groups such as NGOs, religious organizations etc must subscribe to a code of ethics so as to make them accountable to society. This makes it imperative to create a wider network for coordination and setting a standing among NGOs and other related formal or informal groups.

3. Exposure of Corrupt Officers and Practices

The public needs to be aware that it has a civil duty to blow the whistle on corruption and corrupt officers at Local Government level. To be able to perform this duty, it should be unhindered to access to information on local government activities.

4. Reintroduction of Ethics and Civics into the Social Curriculum

Civics and ethics should be reintroduced into the primary and secondary school curriculum at the appropriate levels as part of the awareness drive to reduce public tolerance of corruption. Such avenues as churches, mosques, town meetings, clubs etc. to generate public awareness and build an ethics of transparency and accountability should be put in place.

5. The Need to Fight Corruption from Below

Majority of Nigerians see government at all levels as veritable industry from which money can be made. A reasonable impact can be made if corruption can be tackled at the grassroots than the change at regional (State and National levels will become all the more compelling. Life examples from Hong Kong and Singapore) have shown that honest, transparent and effective local management of cities is essential to optimize the living condition of citizens and to foster trust in the way in which they are governed. It is important to

address corruption and to promote transparency and accountability, not just at the national, but also at the village and ward levels.

6. Establishment of Local Government Integrity System and Forum.

Zanziba has institutionalized her integrity system. For economic success and stability to be achieved, people must have confidence in the policies, capacity and validity of the local government. Basic elements which can harness and build this confidence must be formulated and institutionalized. In the same vein, local government integrity system is advocated to be a coalition of pillars that will comprise of local government chairmen, councilors, the tender board/Finance and General Purposes Committee (FGPC)/financial managers, watchdog agencies, religious leaders, community associations, local board and the local media. This forum could also lead to the development of an action plan aimed at improving the local government integrity system.

This forum can discuss issues such as:

- The development of appropriate codes of conduct which apply to the chairmen, councilors, supervisors, management staff and the junior workers.
- Compulsory public declaration of assets and incomes as a requirement for the higher levels of local government management.
- The development of transparent public procurement process (Aluko, 2006:194:195)

Advocacy for the formation of Local Government Integrity System (LGIS) at the Local Government level is in tandem with a vision that was a culmination of a communiqué/deliberations of the national meeting of stakeholders on Local Government and chieftaincy Affairs held in Makurdi, Benue State on Tuesday 7th October, 2008. The communiqué reads in part:

To form a national Body of heads of Local Government and Chieftaincy Affairs which task will be to coordinate the activities of stakeholders in the Local Government administration in the country with the view to having a shared vision in transparent and corruption-free third tier of Government. It shall be known and referred to as "The National forum of heads of Local Governments and Chieftaincy Affairs.

References

- Ademolekun Ladipo (2002). *Public Administration in Africa: Main issues and selected country studies*, Ibadan,:Spectrum Books, pp 139,140
- Aluko, S. O. (2006)*Corruption in the Local Government System in Nigeria*, Ibadan: Oluben Printers, pp 55,60

- Ethics and Accountability in Local Government in Nigeria-* Dr. Akpanim Ntekim Ekpe
- Answorth, R. & Sketcher, C. (2005). *Accountability: A progress summary from the meta-evaluation of the Local Government Modernization Agenda*".
- Egonwan, J. in Uya, O. & Okoro, J. (1999). *Local Government Administration and Grassroot Democracy in Nigeria.*(Calabar: University of Calabar Press, , pp 50, 54.
- Dwivedi, O. (1978). *Public service ethics, Report of the study Group on ethics in the Public Service.* July 22,
- Ikotun, A. (2004). *Ethics in the Nigerian civil service.*,Lagos: Nugalitho Productions, pp 66, 69.
- Uya, O. A. & Okoro, J. (2002). *Local government and grassroot democracy in Nigeria.* Calabar: University of Calabar Press,, pp 101, 102.
- Oladimeji. A. (1989). *Nigerian local government reformed.* Ile Ife: OAK Press Ltd.
- Williams A. (2002). *Lead bank/guardian leadership, Leadership Series Journal* October 23rd, p 12.
- Kenneth Blanchard (1997). *Standard of conduct in local government in England, Scotland and Wales, 3rd Report of the Committee,* July.
- The Sweden Government official Report No SOU 2004: 107, Stockholm